

# United States Patent and Trademark Office

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office Address: COMMISSIONER FOR PATENTS P.O. Box 1450 Alexandria, Virginia 22313-1450 www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.	
09/713,024	11/16/2000	Masato Mitsuhashi	108066-00018	3168	
75	7590 01/14/2004			EXAMINER	
ARENT FOX KINTNER PLOTKIN & KAHN, PLLC			KING, JUSTIN		
Suite 600 1050 Connectic	ut Avenue, N.W.		ART UNIT	PAPER NUMBER	
	C 20036-5339		2111	8	

DATE MAILED: 01/14/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

3

			19		
	Application No.	Applicant(s)			
	09/713,024	MITSUHASHI ET	AL.		
Office Action Summary	Examiner	Art Unit			
	Justin I. King	2111			
The MAILING DATE of this communication apperiod for Reply	opears on the cover	sheet with the correspondence ac	idress		
A SHORTENED STATUTORY PERIOD FOR REP THE MAILING DATE OF THIS COMMUNICATION  - Extensions of time may be available under the provisions of 37 CFR after SIX (6) MONTHS from the mailing date of this communication.  - If the period for reply specified above is less than thirty (30) days, a re  - If NO period for reply is specified above, the maximum statutory perio  - Failure to reply within the set or extended period for reply will, by statu  - Any reply received by the Office later than three months after the mail earned patent term adjustment. See 37 CFR 1.704(b).  Status	.136(a). In no event, however, howeve	ver, may a reply be timely filed mum of thirty (30) days will be considered time IX (6) MONTHS from the mailing date of this of become ABANDONED (35 U.S.C. § 133).	ly. communication.		
1) Responsive to communication(s) filed on <u>08</u>					
2a)⊠ This action is <b>FINAL</b> . 2b)□ 1	This action is non-fir	nal.			
3) Since this application is in condition for allow closed in accordance with the practice under Disposition of Claims		• •	ne merits is		
4)⊠ Claim(s) <u>1-8</u> is/are pending in the application	ո.		•		
4a) Of the above claim(s) is/are withdr	awn from considera	tion.			
5)⊠ Claim(s) <u>1-4</u> is/are allowed.					
6)⊠ Claim(s) <u>5-8</u> is/are rejected.					
7)☐ Claim(s) is/are objected to.					
8) Claim(s) are subject to restriction and Application Papers	or election requiren	nent.			
9)☐ The specification is objected to by the Examir	ner.				
10)☐ The drawing(s) filed on is/are: a)☐ acc	epted or b)□ objecte	d to by the Examiner.			
Applicant may not request that any objection to	the drawing(s) be held	l in abeyance. See 37 CFR 1.85(a).			
11) $\boxtimes$ The proposed drawing correction filed on <u>10/8/03</u> is: a) $\boxtimes$ approved b) $\square$ disapproved by the Examiner.					
If approved, corrected drawings are required in r	eply to this Office acti	on.			
12)☐ The oath or declaration is objected to by the E	xaminer.				
Priority under 35 U.S.C. §§ 119 and 120					
13)⊠ Acknowledgment is made of a claim for forei	gn priority under 35	U.S.C. § 119(a)-(d) or (f).			
a)⊠ All b)⊡ Some * c)⊡ None of:					
<ol> <li>Certified copies of the priority docume</li> </ol>	nts have been recei	ved.	·		
2. Certified copies of the priority docume	nts have been recei	ved in Application No			
<ul><li>3.☐ Copies of the certified copies of the pri application from the International E</li><li>* See the attached detailed Office action for a list</li></ul>	Bureau (PCT Rule 1	7.2(a)).	Stage		
14)☐ Acknowledgment is made of a claim for domes	stic priority under 35	U.S.C. § 119(e) (to a provisiona	l application).		
a) ☐ The translation of the foreign language p 15)☐ Acknowledgment is made of a claim for dome	• •		•		
Attachment(s)	•				
1) Notice of References Cited (PTO-892) 2) Notice of Draftsperson's Patent Drawing Review (PTO-948) 3) Information Disclosure Statement(s) (PTO-1449) Paper No(s)	5) 🔲	Interview Summary (PTO-413) Paper No Notice of Informal Patent Application (PT Other:			
U.S. Patent and Trademark Office PTO-326 (Rev. 04-01) Office	Action Summary	Part of Paper No. 8			

Application/Control Number: 09/713,024

Art Unit: 2111

#### **DETAILED ACTION**

## Claim Rejections - 35 USC § 112

- The following is a quotation of the second paragraph of 35 U.S.C. 112:
   The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.
- 2. Claim 5 is rejected under 35 U.S.C. 112, second paragraph, as failing to set forth the subject matter, which applicant(s) regard as their invention. Evidence that claim 5 fails to correspond in scope with that which applicant(s) regard as the invention can be found in Paper No. 7 filed 10/8/03. In the abstract filed with that paper, applicant states that the invention is the switching between the asynchronous first clock and second clock when connecting or disconnecting the interface cable, and this statement indicates that the invention is different from what is defined in the claim 5 because the claim 5 does not claim any interface cable and switching between asynchronous clocks.
- 3. Claim 6 is rejected under 35 U.S.C. 112, second paragraph, as failing to set forth the subject matter, which applicant(s) regard as their invention. Evidence that claim 6 fails to correspond in scope with that which applicant(s) regard as the invention can be found in Paper No. 1 filed 11/16/00. In the specification filed with that paper, applicant states that the invention is the switching between the asynchronous PLL clock and quartz clock when connecting or disconnecting the interface cable. The claim 6 does not preclude the PLL clock been slower than the basic clock. Hence, the claim 6's last limitation could be false if the PLL clock is slower than the basic clock.

Application/Control Number: 09/713,024 Page 3

Art Unit: 2111

### Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless -

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

5. Claims 5 and 7-8 are rejected under 35 U.S.C. 102(b) as being anticipated by Yokogawa et al. (U.S. Patent No. 4,872,155).

Referring to claim 5: Yokogawa's invention discloses a PLL circuit including a phase comparator comparing two asynchornized clocks' signals (column 4, lines 47-51), and it further discloses that the PLL generates the clock in synchronism (column 5, lines 4-5); thus, Yokogawa discloses the receiving a PLL clock signal generated from a PLL circuit based on the basic clock signal. Yokogawa further discloses the counting the clock signal number, inhibiting the clock output, and output PLL clock signal after a predetermined number of clock signals (column 4, lines 59-64, column 5, lines 4-6). Hence, claim 5 is anticipated by Yokogawa.

Referring to claims 7-8: Yokogawa's invention discloses a PLL circuit including a counter detecting the pulse spacing of the clock data or a signal synchronizing with the clock data by counting the pulse; thus, Yokogawa's synchronizing means by counting the pulse is the inhibiting circuit inhibiting the fast clock. Yokogawa further discloses twice-faster frequency (figure 15). Hence, claims are anticipated by Yokogawa.

### Allowable Subject Matter

6. Claims 1-4 are allowed.

Art Unit: 2111

#### Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Justin King whose telephone number is (703) 305-4571. The examiner can normally be reached on Monday through Friday from 9:00 A.M. to 5:00 P.M..

If attempts to reach the examiner by telephones are unsuccessfully, the examiner's supervisor, Mark Reinhart can be reached at (703) 308-3110.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose number is (703)-306-5631.

Justin King

January 9, 2004

XUAN M. THAI PRIMARY EXAMINER

TCUIDO